

**ORIGINAL**FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

AO88 (Rev. 1/94) Subpoena in a Civil Case

OCT 24 2006

Issued by the  
UNITED STATES DISTRICT COURT at 3 o'clock and 30 min. P  
DISTRICT OF HAWAII SUE BEITIA, CLERKTHE ESTATE OF ERIK A. POWELL, THROUGH  
PERSONAL REPRESENTATIVE MARY K. POWELL,  
ET AL.

## SUBPOENA IN A CIVIL CASE

V.

CITY AND COUNTY OF HONOLULU,

Case Number:<sup>1</sup> CV04-00428 LEKTO: Custodian of Records  
EXCELON CORPORATION  
25 Mail Road  
Burlington, MA 01803-4194☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below  
testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition  
in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the  
place, date, and time specified below (list documents or objects):Any and all employment records, including but not limited to, health care coverage, applications, disciplinary actions, personnel  
records, discharges, payroll records, promotions, resignations and other personnel or employment records, pertaining to James  
Laughlin, DOB: 9/23/63, SSN: \_\_\_\_-\_\_\_\_-6367.

PLACE

Atkinson-Baker Court Reporters, 330 North Brand Blvd., Suite 250, Glendale, CA 91203  
(PH: 818-551-7300)

DATE AND TIME

October 6, 2006, 9:00 a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers,  
directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the  
matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE SEP 15 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

EMILY KAWASHIMA WATERS, ESQ.

737 Bishop Street, Suite 1835

Honolulu, HI 96813 PH: (808) 523-2451

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.

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PROOF OF SERVICE

9-28-2006

DATE

PLACE

14 Oak Park Dr Bedford, MA

SERVED

Andy Swindlehurst

SERVED ON (PRINT NAME)

Corporate in hand

MANNER OF SERVICE

Mark C Gaisford

SERVED BY (PRINT NAME)

Software contract supervisor

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9-28-2006

DATE

Mark C Gaisford

SIGNATURE OF SERVER

Boston, MA

ADDRESS OF SERVER